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MAY 20 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION FCC MAIL ROOM
Washington, D.C. 20554

In the Matter of)	
Implementation of)	
Commission's EEO Rules)	MM Docket 94-34
)	

COMMENTS FROM K/A KORP COMMUNICATIONS, INC.
Licensee of Radio Station KWED-AM

Stan McKenzie
P.O. Box 1600
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(210) 379-2234

May 17, 1994

Stan McKenzie
Station Manager

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FCC MAIL ROOM

May 17, 1994

Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Sirs:

Thank you for initiating an inquiry into broadcast and cable EEO regulations. (MM Docket No. 94-34)

Having come out of semi-retirement on June 1, 1993, to manage KWED until a new manager could be found or until the owner, my son-in-law, could find a buyer, I have been attempting to digest the new EEO rules that were adopted in February, 1994 and made retro-active to 1990.

I would like to point out that our company is presently reviewing a letter of intent from a potential buyer, so I should be completely retired from broadcasting before year's end. It would be easy for me not to care about the new FCC regulations. However, I do care because I very much love this industry and am deeply concerned for its future. My concerns come from a long record of hiring practices that have met or exceeded EEO requirements despite frequent difficulties in securing sufficient minority applicants and employees.

We are in a city of 18,000 and a county of 67,000. Unfortunately, we are also situated in the San Antonio metro market. (some 45 miles) Our staff totals ten full time and three part time employees.

Our records indicate that we frequently hire college students from two nearby colleges to do part time announcing work. A high number of these part timers have been females and/or minorities. Many of them have become full time employees for at least a brief period before moving to nearby larger markets.

Would current requirements mandate that applicant pools be established before a part time hire is made? And, would current requirements mandate that applicant pools be established before a part timer is promoted to full time status? If the answer to either question is "yes," it would appear to me that the result would be a terrible waste of time and paper work. If advance advertising is required, small market stations will have a difficult time filling positions. Limited manpower really requires fast action. I suspect that at least a month will have elapsed before the necessary paperwork is complete enough to risk a new

hire. That creates a serious burden on not only our announcing staff, but news and sales staffs as well. After all, our main purpose as operators is to (1) serve the community, (2) take proper care of our employees and (3) make a profit, in that order. Community service is crippled when we are under staffed.

Would it be acceptable for a station to continuously advertise for personnel, even when no opening exists? That practice would insure a "pool" so that positions could be filled with less costly delay.

Would it be acceptable to secure lists of prospects from other stations or from our state association? In reality, many applicants at nearby larger markets are not interested in working at a small station. Currently we advertise by word of mouth, on-air, in the local newspaper, through area colleges, the local NAACP, LULAC and through letters to prominent local minority leaders. The responses from most of these, with the exception of the on-air announcements, are typically very minimal.

Of our present staff, three are females and three are minorities. One of the females is also a minority. Our difficulty, then, is not in the number of minority hires, but in the quota...or balance...between female, Afro-American and Hispanic hires in relation to the metro labor force. This problem makes us painfully aware from time to time that we "have too many of one racial, ethnic or gender background and not enough from another."

Having given this brief background, I would respectfully urge the Commission to:

- (1) eliminate the "pool" requirement when stations hire part timers and when stations promote from within, so long as the basic EEO records reflect adequate numbers.
- (2) judge a station on its EEO hiring performance, past and present, and not on the added burden of record keeping.
- (3) give credit to a station's hiring, not only based on the record that is reflected in its annual EEO report, but also on the hires that come in between those annual reports. A perfect example can be found in our own records which show the hiring of two minorities in between the annual March reporting dates. They were hired and terminated at such times that the EEO report fails to show their employment.

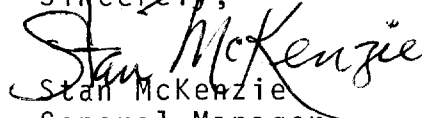
As a long time broadcaster, (1950 to present) all at the same station where I started as announcer-salesman-newsman and sports reporter, moving into management and eventual ownership, I can assure you without reservations that small market radio is in dire trouble. Many changes, mostly beyond our control, have made it very difficult to stay solvent while still providing the community service that is our primary goal.

(3)

I would sincerely hope that regulators and broadcasters can become partners, rather than protagonists, in providing this service.

We want to obey the law of the land and that includes the laws and regulations regarding equal opportunity. But, I honestly believe one cannot fully comprehend the problems and difficulties facing small market broadcasters unless one sits in the manager's chair and experiences them first hand.

I therefore appreciate the opportunity to express my concerns to you, with the hope you will better understand what we confront and that you will seek fair and reasonable means of addressing your responsibilities as regulators.

Sincerely,

Stan McKenzie
General Manager
KWED-AM